

AMENDED IN ASSEMBLY APRIL 20, 2016

AMENDED IN ASSEMBLY APRIL 6, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1790

Introduced by Assembly Member Weber

February 4, 2016

An act to add Section 11322.81 to the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1790, as amended, Weber. CalWORKs: welfare-to-work.

Existing law establishes the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families using federal, state, and county funds. Existing law requires a recipient of CalWORKs to participate in welfare-to-work activities as a condition of eligibility. Existing law limits the time period in which a participant may engage in certain state-authorized work activities, in satisfaction of welfare-to-work requirements, to 24 cumulative months during a participant's lifetime, and requires the participant to engage in federally defined work activities after that period expires. Existing law requires that necessary supportive services be available to every participant in order to participate in the program activity to which he or she is assigned.

This bill would require ~~an adult~~ *the county to deem a recipient who to be in compliance with CalWORKs' welfare-to-work requirements if the recipient reports and the county verifies, or the county otherwise discovers, that the recipient* meets the federally required minimum

average number ~~or~~ of hours per week of welfare-to-work participation to be deemed to be in compliance with CalWORKs' welfare-to-work hours requirements; *participation*, as specified. The bill would require the county to arrange for the provision of necessary supportive services for these recipients, thereby imposing a state-mandated local program. The bill would exempt these adults from sanctions for failure or refusal to comply with welfare-to-work program requirements. The bill would direct the department to issue an all-county letter or similar instruction on or before January 1, 2018.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11322.81 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 11322.81. (a) Notwithstanding any other law, *if* an adult
- 4 recipient ~~who meets reports and the county verifies, or the county~~
- 5 *otherwise discovers, that the recipient is meeting* the federally
- 6 required minimum average number of hours per week of
- 7 welfare-to-work participation as set forth in Section 607 of Title
- 8 42 of the United States ~~Code Code~~, *that recipient* shall be deemed
- 9 to be in compliance with Section 11322.8.
- 10 (b) Necessary supportive services shall be provided to recipients
- 11 described in this section in accordance with Sections 11323.2 and
- 12 11323.4.
- 13 (c) Recipients described in this section shall not be subject to
- 14 sanctions for failure or refusal to comply with program
- 15 requirements under Section 11327.4.

1 (d) This section does not entitle a person to a corrective payment
2 issued pursuant to subdivision (k) of Section 11004 for any month
3 before January 1, 2017.

4 SEC. 2. Notwithstanding the rulemaking provisions of the
5 Administrative Procedure Act (Chapter 3.5 (commencing with
6 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
7 Code), the State Department of Social Services shall implement
8 this act through an all-county letter or similar instruction from the
9 director. The all-county letter or similar instruction shall be issued
10 no later than January 1, 2018.

11 SEC. 3. No appropriation pursuant to Section 15200 of the
12 Welfare and Institutions Code shall be made for purposes of
13 implementing this act.

14 SEC. 4. If the Commission on State Mandates determines that
15 this act contains costs mandated by the state, reimbursement to
16 local agencies and school districts for those costs shall be made
17 pursuant to Part 7 (commencing with Section 17500) of Division
18 4 of Title 2 of the Government Code.